

REMARKS

This is in full and timely response to the Office Action mailed on February 29, 2008.

Claims 27, 31, 53-56, 58-74, and 76-86 are currently pending in this application, with claims 27 and 31 being independent.

No new matter has been added.

Reexamination in light of the following remarks is respectfully requested.

Entry of amendment

This amendment *prima facie* places the case in condition for allowance. Alternatively, it places this case in better condition for appeal.

Accordingly, entry of this amendment is respectfully requested.

Prematureness

Applicant, seeking review of the prematureness of the final rejection within the Final Office Action, respectfully requests reconsideration of the finality of the Final Office Action for the reasons set forth hereinbelow. See M.P.E.P. §706.07(c).

At least for the following reasons, if the allowance of the claims is not forthcoming at the very least and a new ground of rejection made, then a new non-final Office Action is respectfully requested.

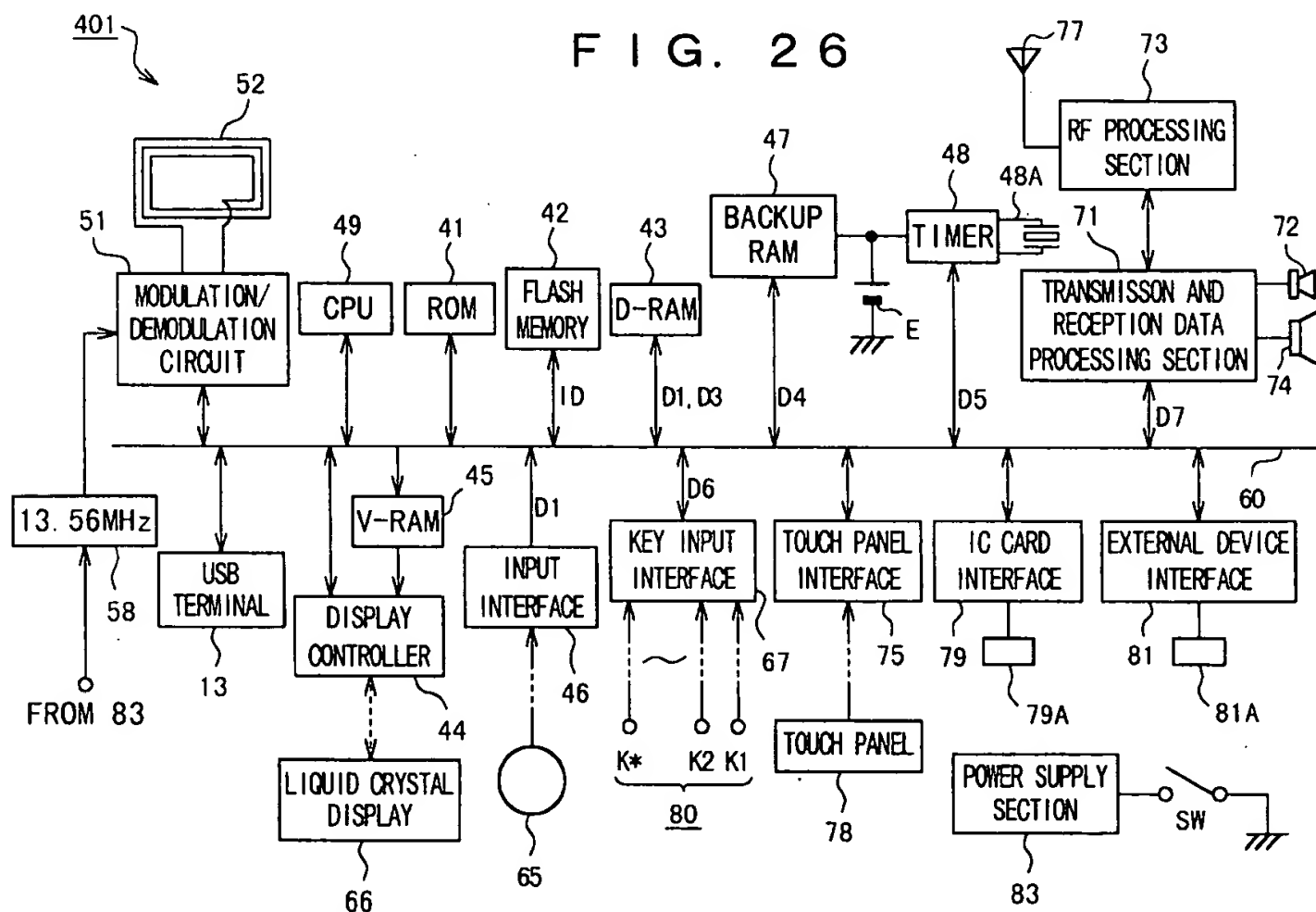
Claim rejections

Paragraph 6 of the Office Action indicates a rejection of claims 27, 31, and 53-86 under 35 U.S.C. §103 as allegedly being unpatentable over McAllister in view of U.S. Patent No. 6,089,456 Walsh et al. (Walsh).

This rejection is traversed at least for the following reasons.

At least for the following reasons, if the allowance of the claims is not forthcoming at the very least and a new ground of rejection made, then a **new non-final Office Action** is respectfully requested.

Figure 26 of the specification as originally filed is provided hereinbelow.



Claim 27 - The features of prior claim 57 have been wholly incorporated into claim 27. Thus, prior claim 57 is now amended claim 27. Since prior claim 57 has been examined within the Final Office Action, **no “further search and/or consideration” of amended claim 27 is believed to be required.**

Claim 27 is drawn to a hand held terminal device comprising:

- a modulation/demodulation circuit adapted to demodulate entity information from a signal, said signal being receivable from an information providing medium;
 - a data port adapted to interface with an external device, said entity information being transferable over said data port to said external device;
 - an RF processing section adapted to radiate a radio frequency transmission signal and adapted to receive a radio frequency reception signal; and
 - a display, said entity information being viewable on said display,
- wherein said modulation/demodulation circuit is adapted to generate electromagnetic field energy, an antenna body connected to said modulation/demodulation circuit being adapted to radiate said electromagnetic field energy and to receive said signal.

McAllister - McAllister arguably teaches the presence of a multiple technology data reader 10 (McAllister at Figure 1).

The multiple technology data reader 10 shown in FIG. 1 includes an optical code reader, such as a bar code reader 12, a low frequency RFID reader 14a, and/or a high frequency RFID reader 14b (McAllister at column 3, lines 27-31).

Figure 2 of McAllister is a functional block diagram of a multiple technology data reader 10, which can read a bar code 72 or an RFID tag 74 (McAllister at column 3, lines 59-61).

Figures 1 and 2 of McAllister are provided hereinbelow.

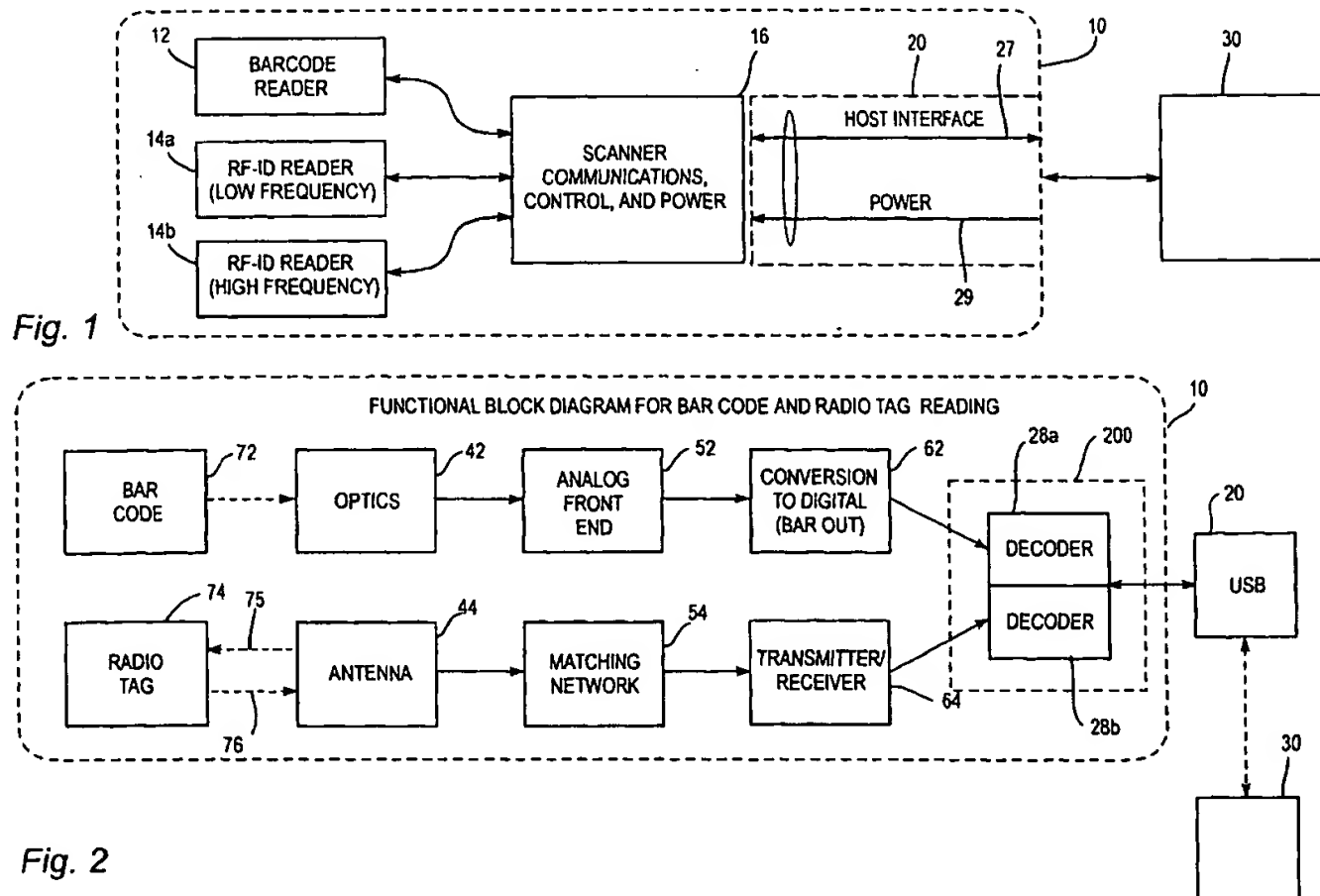


Fig. 2

The Office Action contends that McAllister teaches the presence of a modulation/demodulation circuit 54 (Office Action at page 2).

In this regard, McAllister arguably teaches that the response signal 76 is sent to an RFID transmitter/receiver 64 through an impedance matching network 54, which matches the impedance of the antenna 44 with the impedance of the RFID transmitter/receiver 64 (McAllister at column 4, lines 3-7).

The Office Action further contends that McAllister teaches the presence of an RF processing section 200 (Office Action at page 2).

In response, in a second embodiment, as shown in FIG. 6, the multiple technology data reader 200 includes the optical and analog front end components of a bar code reader 220, and the

antenna and transmitter/receiver components of an RFID reader 240, which are connected to a device microcontroller 225 (McAllister at column 5, lines 22-27).

Figure 6 of McAllister is provided hereinbelow.

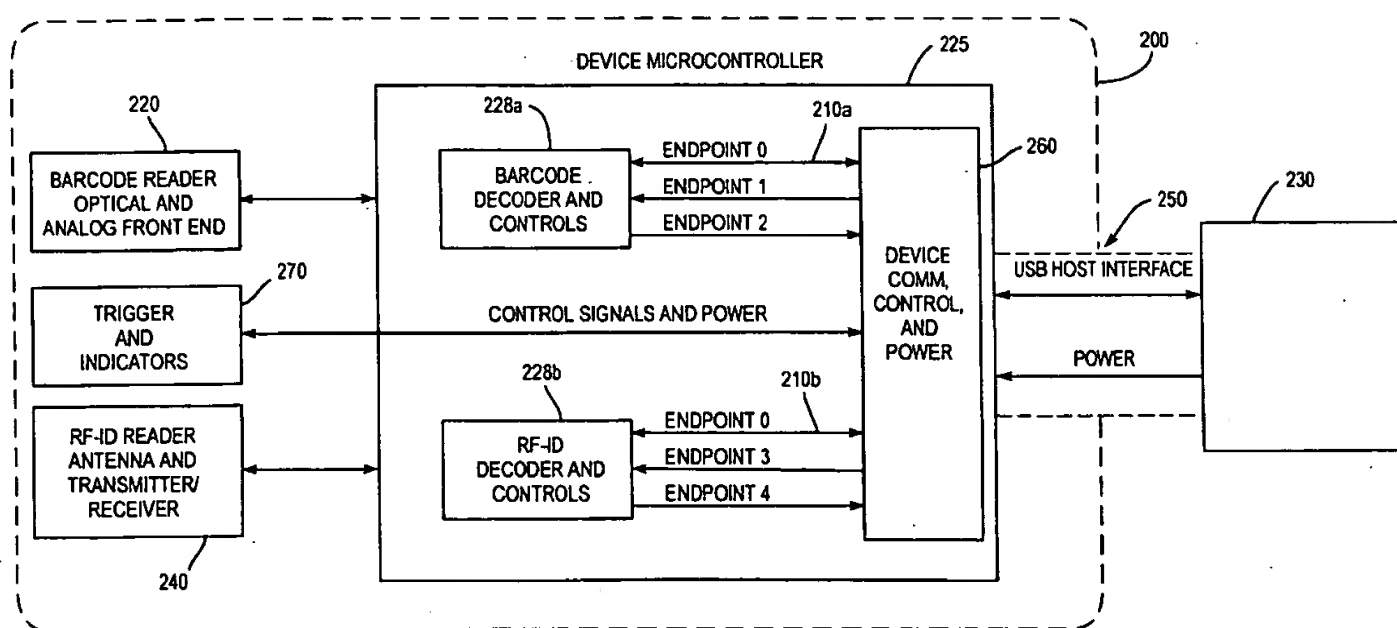


Fig. 6

Whereas Figures 1 and 2 of McAllister teach the presence of a multiple technology data reader 10, Figure 6 of McAllister teaches the presence of a multiple technology data reader 200,

Here, the Office Action fails to explain how and why the multiple technology data reader 200 of Figure 6 (**second embodiment**) could be readily incorporated into the multiple technology data reader 10 of Figure 1 and 2 (**present embodiment**).

This absence of an explanation is apparent when taking into consideration the express teachings found within McAllister that Figures 5-10 illustrate six ALTERNATIVE system architectures in accordance with a multiple technology data reader 10 such as shown in Figure 1 and described herein (McAllister at column 4, lines 47-49).

As a result, McAllister fails to disclose, teach, or suggest a device that is capable of both:

- radiating a radio frequency transmission signal and receiving a radio frequency reception signal; and
 - generating electromagnetic field energy.
- ***Thus, McAllister fails to disclose, teach or suggest:***
 - ***a modulation/demodulation circuit adapted to demodulate entity information from a signal, said signal being receivable from an information providing medium; along with***
 - ***an RF processing section adapted to radiate a radio frequency transmission signal and adapted to receive a radio frequency reception signal.***

Moreover, McAllister is silent as to the presence of a display.

- ***Thus, McAllister fails to disclose, teach or suggest a display, said entity information being viewable on said display.***

Walsh - The Office Action cites Walsh for the features that are deficient from within McAllister.

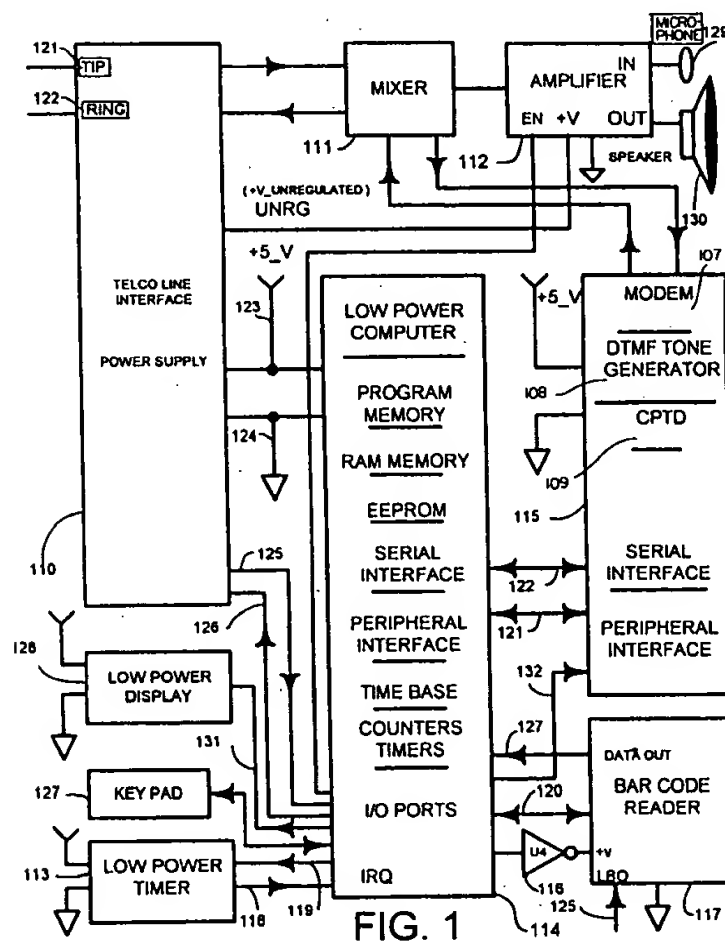
Figure 1 of Walsh arguably depicts a user device 100 that includes a telephone line interface 110, a microprocessor 114, a bar code reader 117, and a speaker 130.

Likewise, Figure 4 of Walsh arguably depicts a circuit diagram for a handheld low power user device having a cellular telephone interface 410, a microprocessor 414, and a bar code reader 417.

Figure 5 of Walsh arguably depicts a circuit diagram for a handheld low power user device having a cellular telephone interface 510, a microprocessor 514, and a bar code reader 517.

Walsh arguably teaches that in various optional embodiments the CCD scanner circuits of FIGS. 6A and 6B may be substituted for the bar code readers 117, 417 and 517 (supra) (Walsh at column 28, lines 27-30).

For convenience, Figure 1 of Walsh is provided hereinbelow.



However, Walsh fails to disclose, teach, or suggest a device that is capable of both:

- radiating a radio frequency transmission signal and receiving a radio frequency reception signal; and
- generating electromagnetic field energy.

- ***Thus, Walsh fails to disclose, teach or suggest:***
 - ***a modulation/demodulation circuit adapted to demodulate entity information from a signal, said signal being receivable from an information providing medium; along with***
 - ***an RF processing section adapted to radiate a radio frequency transmission signal and adapted to receive a radio frequency reception signal.***

In addition, Walsh fails to disclose, teach, or suggest a modulation/demodulation circuit.

- ***Thus, Walsh fails to disclose, teach, or suggest a hand held terminal device wherein said modulation/demodulation circuit is adapted to generate electromagnetic field energy, an antenna body connected to said modulation/demodulation circuit being adapted to radiate said electromagnetic field energy and to receive said signal.***

Walsh fails to disclose, teach, or suggest entity information from a signal that is receivable from an information providing medium, the entity information being viewable on said display.

Walsh arguably teaches the presence of a display (element 128 of Walsh in Figure 1 and element 126 of Walsh in Figures 8-9).

However, Walsh is silent as to the entity information read by the bar code reader 117 being viewable on the display.

- ***Thus, Walsh fails to disclose, teach or suggest a display, said entity information being viewable on said display.***

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Claim 31 - The features of prior claim 75 have been wholly incorporated into claim 31. Thus, prior claim 75 is now amended claim 31. Since prior claim 75 has been examined within the Final Office Action, **no “further search and/or consideration” of amended claim 31 is believed to be required.**

Claim 31 is drawn to a hand held terminal device comprising:

a modulation/demodulation circuit adapted to demodulate entity information from a signal, said signal being receivable from an information providing medium;

a data port adapted to interface with an external device, said entity information being transferable over said data port to said external device;

an RF processing section adapted to radiate a radio frequency transmission signal and adapted to receive a radio frequency reception signal;

a microphone, voice from said microphone being convertible into said radio frequency transmission signal, wherein said radio frequency reception signal is convertible into received voice; and

a speaker, said received voice being audible by said speaker, wherein said entity information is audible by said speaker,

wherein said modulation/demodulation circuit is adapted to generate electromagnetic field energy, an antenna body connected to said modulation/demodulation circuit being adapted to radiate said electromagnetic field energy and to receive said signal.

McAllister - McAllister is **silent** as to the presence of a speaker.

- ***Thus, McAllister fails to disclose, teach or suggest a speaker, said received voice being audible by said speaker, wherein said entity information is audible by said speaker.***

Walsh - Figure 1 of Walsh arguably a speaker 130.

Bar code reader 117 emits one or more narrow band light beams toward a bar code, measures the distance between reflected peaks of light, and generates a bar code signal at node 127 that is sent to microprocessor 114 (Walsh at column 17, lines 1-4).

However, Walsh is silent as to the entity information read by the bar code reader 117 being audible by the speaker 130.

- ***Thus, Walsh fails to disclose, teach or suggest a speaker, said received voice being audible by said speaker, wherein said entity information is audible by said speaker.***

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Conclusion

There is no concession as to the veracity of Official Notice, if taken in any Office Action. An affidavit or document should be provided in support of any Official Notice taken. 37 CFR 1.104(d)(2), MPEP § 2144.03. See also, *Ex parte Natale*, 11 USPQ2d 1222, 1227-1228 (Bd. Pat. App. & Int. 1989)(failure to provide any objective evidence to support the challenged use of Official Notice constitutes clear and reversible error).

This response is believed to be a complete response to the Office Action.

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance.

Accordingly, favorable reexamination and reconsideration of the application in light of the remarks is courteously solicited.

Extensions of time

Please treat any concurrent or future reply, requiring a petition for an extension of time under 37 C.F.R. §1.136, as incorporating a petition for extension of time for the appropriate length of time.

Fees

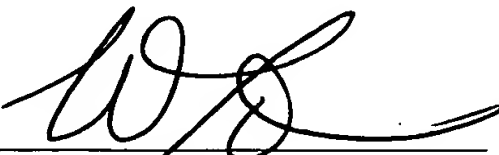
The Commissioner is hereby authorized to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees. If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753.

Dated: April 4, 2008

Respectfully submitted,

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